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Finance and
Administration Committee

Queensland Nurses' Union

Inquiry into the Operation of Queensland's Workers' Compensation Scheme

Supplementary

Submission to the Queensland Parliament
Finance and Administration Committee

March, 2013

The QNU thanks the Finance and Administration Committee (the Committee) for providing this opportunity to provide further comments on the operation of Queensland's workers' compensation scheme. Our submission responds to Q-COMP's proposal aimed at reducing red-tape.

Again, the QNU takes the view that we made in our major submission - the existing scheme adequately compensates injured workers and/or their families and should not be altered in way that undermines or undervalues the provisions of this scheme.

The Committee is now seeking comments on a Q-COMP proposal to remove the requirement for claims to be lodged with the insurer until 50% of Queensland Ordinary Time Earnings (QOTE) (currently \$665.25) for medical costs or compensation for loss of wages is reached. The argument is that in all other jurisdictions claims are lodged with the employer and in Victoria the employer is not required to pass a claim on to the insurer for 10 days. The employer's excess is the first 10 days of compensation and first \$610 of medical expenses. Apparently this would significantly decrease the number of claims made to WorkCover and as a consequence reduce red-tape for employers.

We fail to see why one suggestion from a stakeholder in the proceedings is now grounds for seeking comments from all other parties, particularly a proposal that will clearly not reduce red-tape for employers and is also likely to disadvantage nurses and midwives in Queensland. We recognise that the Queensland scheme includes all claims lodged with WorkCover Queensland regardless of the severity of the injury or illness, hence the statistical disparity when compared with other states. However, there are three main reasons why the QNU does not support this proposal.

1. Under the Q-COMP proposal, the employer is 'simply required to keep a register containing details of the injury'. Making the employer responsible for processing the medical expense process below the excess will simply shift the costs involved in this exercise from WorkCover Queensland on to the employer. WorkCover Queensland manages end-to-end claims, from the initial determination through case management, return to work and common law. Keeping a register in itself may seem a straightforward task, however, dealing with workers' compensation claims takes time and requires expertise and knowledge that is unavailable to many employers. There would also need to be a mechanism for ensuring employers comply with this approach. Lack of proper record keeping in the early stages of a claim may have long term consequences if an illness or injury turns out to be more severe than originally diagnosed.

2. Notification of an injury or illness that may initially be minor and fall within the excess could have more serious consequences and then become a WorkCover claim. Forwarding claims that are beyond the excess will delay the process for assessment, treatment and/or rehabilitation for the employee and thereby impose further costs on the employer.
3. The Q-COMP data represents an accurate reflection of all workplace injuries and illnesses. Q-COMP collates and analyses data on workplace injuries and illness to determine the prevalence of unsafe work sites and practices, return to work rates and average days lost. It will be much more difficult for the regulator to carry out this important function when it relies on data from many sources that may not be accurate.

We consider any attempts to alter the scheme by restricting or withdrawing current workers' compensation rights for nurses and midwives will undermine their important contribution to the health of *all* Queenslanders.